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MEETING OF THE

TRANSPORTATION CONFORMITY WORKING GROUP

Tuesday, July 22, 2008

10:00 a.m. – 12:00 p.m.

SCAG Offices

Riverside A Conference Room

818 West 7th, 12th Floor

Los Angeles, CA 90017

213.236.1800

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact:

Jonathan Nadler at 213.236.1884 or nadler@scag.ca.gov

Justus Stewart at 213.236.1809 or stewartj@scag.ca.gov

SCAG, in accordance with the Americans with Disabilities Act (ADA), will accommodate persons who require a modification of accommodation in order to participate in this meeting. If you require such assistance, please contact SCAG at (213) 236-1868 at least 72 hours in advance of the meeting to enable SCAG to make reasonable arrangements. To request documents related to this document in an alternative format, please contact (213) 236-1868.

Transportation Conformity Working Group

AGENDA

PAGE #

TIME

1.0 CALL TO ORDER

Michael Litschi, OCTA

2.0 PUBLIC COMMENT PERIOD

Members of the public desiring to speak on an agenda item or items not on the agenda, but within the purview of the TCWG, must fill out a speaker's card prior to speaking and submit it to the Staff Assistant. A speaker's card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The Chair may limit the total time for comments to twenty (20) minutes.

3.0 CONSENT CALENDAR

- 3.1 TCWG Minutes of June 24, 2008
Attachment

1

4.0 INFORMATION ITEMS

- | | | | |
|-----|---|-----------------------|------------|
| 4.1 | <u>RTP Update</u> | Naresh Amatya, SCAG | 10 minutes |
| 4.2 | <u>RTIP Update</u> | John Asuncion, SCAG | 5 minutes |
| 4.3 | <u>Review of PM Hot Spot
Interagency Review Forms</u>
Attachment | TCWG Discussion | 30 minutes |
| 4.4 | <u>TCM Overview</u>
Attachment | Jonathan Nadler, SCAG | 30 minutes |

5.0 INFORMATION SHARING

5 minutes

6.0 ADJOURNMENT

The next meeting of the Transportation Conformity Working Group will be on Tuesday, August 26, 2008 at the SCAG office in downtown Los Angeles.

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**June 24, 2008
Minutes**

THE FOLLOWING MINUTES ARE A SUMMARY OF THE MEETING OF THE TRANSPORTATION CONFORMITY WORKING GROUP. AN AUDIOCASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Meeting of the Transportation Conformity Working Group was held at the SCAG office in Los Angeles.

In Attendance:

Abrishami, Lori	LACMTA
Litschi, Michael	OCTA
Poe, Lisa	SANBAG
Sells, Eyvonne	AQMD
Shavit, Avital	LACMTA

SCAG Staff

Asuncion, John
Nadler, Jonathan
Sherwood, Arnie
Stewart, Justus

Via Teleconference:

Alvarez, Grace	RCTC
Behtash, Arman	Caltrans, District 12
Bloom, Bob	SIS
Brady, Mike	Caltrans Headquarters
Cacatian, Ben	Ventura County APCD
Chandon, Mimi	Caltrans, District 8
Fagan, Paul	Caltrans, District 8
Johnson, Sandy	Caltrans, District 11
Kratovil, Aimee	FHWA
Lambroski, Rafael	Caltrans, District 11
Lopez, Rosa	IVAG
Louka, Tony	Caltrans, District 8
O'Connor, Karina	U.S. EPA, Region 9
Wade, Dennis	ARB

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**June 24, 2008
Minutes**

Walecka, Carla
Yoon, Andrew

Transportation Corridor Agencies
Caltrans, District 7

1.0 CALL TO ORDER

Michael Litschi, OCTA, called the meeting to order at 10:07 a.m.

2.0 PUBLIC COMMENT PERIOD

There were no comments.

3.0 CONSENT CALENDAR

3.1 Approval Item

- 3.1 TCWG May 27, 2008 Meeting Minutes
The minutes were approved.

4.0 INFORMATION ITEMS

4.1 RTP Update

Jonathan Nadler, SCAG, gave the TCWG an update on the 2008 RTP. He reported that the RTP process has been completed, and that SCAG received a positive conformity finding.

Lori Abrishami, LACMTA, informed the TCWG that a \$214 million grant from the federal government has been secured to look into high occupancy toll (HOT) lanes. There are two preliminary corridors that MTA is currently considering, the 210 and the 10. The money was initially available to New York but New York was not able to use the money so it was granted to Los Angeles County. MTA is currently working with SCAG on how to incorporate the project into the RTP. The HOT lane project will be presented to the MTA Board in July.

Paul Fagan, Caltrans District 8, questioned whether a recent STIP action by the California Transportation Commission regarding the completion dates of a few projects requires an RTP amendment. Jonathan Nadler, SCAG, responded that staff would need to review the details to determine whether an amendment was

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**June 24, 2008
Minutes**

necessary, and whether other issues might arise. This was the first time that the issue had been brought to the attention of SCAG staff.

4.2 RTIP Update

John Asuncion, SCAG, reported that the 2008 RTIP is currently undergoing its 30-day public review. The last day for SCAG to receive comments on the RTIP is July 7th. Thus far there has been two public hearing on the 2008 RTIP. No comments have been received from either hearing. The last public hearing will be held on June 25th at the Orange County Transportation Authority. The 2006 RTIP Amendment #17 received federal approval on June 13th. Staff is currently processing another amendment for the 2006 RTIP that will be submitted to Caltrans by the week of June 30th.

4.3 SIP Update

Dennis Wade, Air Resources Board (ARB), stated that the Ventura County, Antelope Valley, and Mojave Desert Air Districts have all completed local adoption of their air quality plans. Those plans will be considered for adoption at the ARB hearing held on June 26th in Sacramento. The ozone and PM10 SIP development process continues in Imperial County for action later in the year.

Question was raised as to whether the EPA had provided guidance on how to handle the downwind transport issue for the SIPs. Karina O'Connor, EPA, stated that there is no new guidance on this issue.

4.4 Review of PM Hot Spot Interagency Review Forms

- 1) SBd4351** – Realign and widen a 9.3-miles segment of SR-58 from PM 21.8 to PM 31.1 in an unincorporated area of San Bernardino County, east of the City of Barstow.

It was requested that the consultants who submitted the project description to modify the following:

- Correct horizon year date typo (from 2016 to 2040).
- Provide explanation as to why the build and no-build values are the same.
- Clarify the rural location of the project.

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**June 24, 2008
Minutes**

Once the form is revised and provided to SCAG, staff will re-circulate it and pending approval from EPA, FHWA, and ARB, will list it as not a POAQC.

- 2) **SBd200451** – Widen the segment of US-395 that extends from PM 4.0 to PM 19.3.

It was requested that the consultants who submitted the project description modify the following:

- Provide explanation as to why the build and no-build values are the same.
- Clarify the project description.

Once the form is revised and provided back to SCAG, staff will re-circulate it and pending approval from EPA, FHWA, and ARB, will list it as not a POAQC.

- 3) **RIV46460** – Proposes to improve 7.4 miles of SR-79 in an unincorporated area of Riverside County, north of the City of Murrieta.

It was determined that this is not a POAQC.

- 4) **ORA030310** – Construct an auxiliary lane in the Southbound direction of SR-55 between the Dyer Road on-ramp and the MacArthur Avenue off-ramp in the City of Sana Ana in the County of Orange.

It was determined that this is not a POAQC.

Review of Qualitative Analysis

LAE0465 – Andrew Yoon, Caltrans, stated that Caltrans had previously submitted its PM2.5 and PM10 qualitative analysis to the TCWG. At that time, the TCWG declined reviewing the project because the project was not in the fiscally constrained RTP and RTIP. The project is now in the fiscally constrained RTP and is therefore considered a full project.

Caltrans is proposing the addition of an HOV lane from the junction of SR-14 to Parker Road interchange with I-5, a distance of approximately 13.6 miles, and two truck lanes from north of SR-14 to the Pico/Lyons interchange.

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**June 24, 2008
Minutes**

The analysis concludes that the project will not increase emissions and is not a POAQC. Mr. Yoon requested that the TCWG provide comments directly to Caltrans. Once the comments are reviewed and clarified by a sub-group of the TCWG, a determination will be made.

4.5 Review Definition of Auxiliary Lanes

There was discussion on the definition of auxiliary lanes for conformity purposes. Mike Brady, Caltrans, stated that the Highway Design Manual has a very general definition of an auxiliary lane. It is essentially anything that is not a through lane. This would include left turn lanes, acceleration lanes, deceleration lanes, passing lanes, etc. However, Caltrans has evolved its own definition that is much more limited, in order to review projects in greater detail. The definition of an auxiliary lane for conformity purposes is a lane that does not fully extend between two nodes. However, there is also the consideration for those areas where the nodes are far apart, such that such a facility may not be considered an auxiliary lane if it is greater than ½ mile in length.

4.6 TCM Substitution

Jonathan Nadler reported on two previous TCM projects in which the project sponsors identified some obstacles to implementation. One was a small bike lane and the other was bus stop improvements. SCAG has been working with MTA to identify new projects that are not yet programmed that could substitute for each of these projects. A preliminary draft report has been provided for the TCWG to review; once staff gets feedback from the TCWG the draft reports will be released for public review.

It was pointed out that one of the conditions for considering a project a TCM was whether the project would reduce vehicle trips and emissions. For a bus stop improvement, which transit agencies undertake regularly, there are reasonable questions as to whether the criteria for designating such projects as TCMs are met. There is not currently any quantitative methodology showing reduced vehicle trips and emissions from such a project. A suggestion was made that SCAG staff and the TCWG go back and look at the language in the original SIP, to see if bus stop improvements fit into one of the listed TCM categories. Karina O'Connor, EPA, will provide EPA's perspective on the bus stop substitution report prior to public

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**June 24, 2008
Minutes**

release. It was also suggested that the larger question of what constitutes a TCM should be taken up by a sub-committee of the TCWG.

An overview of TCMs will be included on the next meeting's agenda, including how TCMs are programmed, how they roll over, and substitutions.

5.0 INFORMATION SHARING

Agency contacts were briefly discussed.

Ben Cacatian, Ventura County APCD, suggested a discussion of Conformity SIP's be put on the July TCWG agenda.

6.0 ADJOURNMENT

Michael Litschi adjourned the meeting at 11:35 a.m.

The next Transportation Conformity Working Group meeting will be held on July 22, 2008 at the SCAG office in Los Angeles.

TRANSPORTATION CONTROL MEASURES PER THE SOUTH COAST SIP

Definition

Transportation Control Measures (TCMs) are defined as strategies that adjust trip patterns or otherwise modify vehicle use in ways that reduce air pollutant emissions, and which are specifically identified and committed to in the most recently approved Air Quality Management Plan (AQMP)/ State Implementation plan (SIP). TCMs are included in the AQMP as part of the overall control strategy to demonstrate the region's ability to come into attainment with the National Ambient Air Quality Standards (NAAQS).

Historically, the majority of emission reductions from mobile sources have come from technological improvements in vehicle engines and fuel, which are stipulated by U.S. EPA and the California Air Resources Board. By law, and according to the EPA U.S. Transportation Conformity Rule, vehicle technology-based, fuel chemistry-based and fleet maintenance-based measures cannot be considered as TCMs for timely implementation purposes.

A definition of TCMs is provided in EPA's Transportation Conformity Rule - 40 CFR Parts 51 and 93:

Transportation control measure (TCM) is any measure that is specifically identified and committed to in the applicable implementation plan that is either one of the types listed in §108 of the CAA, or any other measure for the purpose of reducing emissions or concentrations of air pollutants from transportation sources by reducing vehicle use or changing traffic flow or congestion conditions. Notwithstanding the above, vehicle technology-based, fuel-based, and maintenance-based measures which control the emissions from vehicles under fixed traffic conditions are not TCMs for the purposes of this subpart.

Clean Air Act (CAA) §108(f)(1)(A)¹ lists the following sixteen measures as illustrative of TCMs.

- i. Programs for improved use of public transit;
- ii. Restriction of certain roads or lanes to, or construction of such roads or lanes for use by, passenger buses or high occupancy vehicles;
- iii. Employer-based transportation management plans, including incentives;
- iv. Trip-reduction ordinances;
- v. Traffic flow improvement programs that achieve emission reductions;
- vi. Fringe and transportation corridor parking facilities, serving multiple occupancy vehicle programs or transit service;

¹ See: <http://www.epa.gov/oar/caa/contents.html>

- vii. Programs to limit or restrict vehicle use in downtown areas or other areas of emission concentration, particularly during periods of peak use;
- viii. Programs for the provision of all forms of high-occupancy, shared-ride services, such as the pooled use of vans;
- ix. Programs to limit portions of road surfaces or certain sections of the metropolitan area to the use of non-motorized vehicles or pedestrian use, both as to time and place;
- x. Programs for secure bicycle storage facilities and other facilities, including bicycle lanes, for the convenience and protection of bicyclists, in both public and private areas;
- xi. Programs to control extended idling of vehicles;
- xii. Programs to reduce motor vehicle emissions, consistent with Title II of the Clean Air Act, which are caused by extreme cold start conditions;
- xiii. Employer-sponsored programs to permit flexible work schedules;
- xiv. Programs and ordinances to facilitate non-automobile travel, provision and utilization of mass transit, and to generally reduce the need for single-occupant vehicle travel, as part of transportation planning and development efforts of a locality, including programs and ordinances applicable to new shopping centers, special events, and other centers of vehicle activity;
- xv. Programs for new construction and major reconstruction of paths, tracks or areas solely for the use by pedestrian or other non-motorized means of transportation, when economically feasible and in the public interest; and
- xvi. Programs to encourage the voluntary removal from use and the marketplace of pre-1980 model year light duty vehicles and pre-1980 model light duty trucks.

In addition to the measures listed above, other measures may be considered as TCMs if they reduce emissions or concentrations of air pollutants from transportation sources by modifying vehicle use, changing traffic flow, or mitigating traffic congestion conditions. TCMs may be voluntary programs, incentive-based programs, regulatory programs, as well as market- or pricing-based programs.

Based on suggestions received from interagency consultation and discussions with transportation and air quality stakeholders via the Transportation Conformity Working Group (TCWG), SCAG formally refines the types of projects to be included as TCMs as appropriate during the AQMP/SIP and/or Regional Transportation Improvement Program (RTIP) and RTIP Guidelines development process. During the regular update cycle for each of the listed documents, SCAG, in coordination with the TCWG, will refine and revise TCM descriptions and definitions in order to clarify the general TCM process as well as resolve specific implementation issues. It is SCAG's aim to work with County Transportation Commissions (CTCs), air quality stakeholders, and any other interested parties, primarily through the TCWG, to facilitate the TCM process and implement TCMs appropriately.

Rollover and Substitution of TCM Projects

Each time the biennial RTIP is updated by action of SCAG's Regional Council, the entire list of TCM projects in the AQMP/SIP will be updated, and the new and continuing projects identified in the fiscally constrained first two years of the new RTIP will be rolled over into

the AQMP/SIP. In the event that a specific TCM project is found to be non-implementable within the designated time frame, an appropriate TCM will be used as a substitute. In either case, the parties in the conformity rule interagency consultation process, established in the SCAG region as the TCWG, shall assess the suitability and implementability for the new TCM projects. Where a transportation control measure identified in the SIP is no longer implementable, SCAG may initiate the process described below in the section “Substitution of Individual TCM Projects” to identify and adopt a new control measures.

Rollover of TCM Projects (RTIP Update)

Approximately every two years, as the RTIP is updated, additional TCMs will be added to the AQMP/SIP based on the new RTIP and the RTIP Guidelines. The “rollover” of TCMs will update the AQMP/SIP to include new projects in addition to ongoing projects from previous RTIPs. The TCMs “rolled over” will be monitored for adherence to the schedule established in the RTIP at the time a project is identified as a committed TCM. The identification of TCMs from the RTIP shall be agreed upon by both SCAG and the appropriate CTCs.

For tracking and monitoring purposes, SCAG prepares a timely implementation report with each RTIP. Once a TCM project or program is committed for implementation in the first two years of the RTIP, that project must be implemented by the completion date in the prevailing RTIP or timely implementation report. Completed projects (projects that have completed construction or have service in place) will be reported as complete and removed from the timely implementation report. The list of TCMs included in the AQMP/SIP does not include a timely implementation report.

The rollover process will apply to any RTIP that requires a full conformity analysis and finding. Generally, a new RTIP is required every two years in accordance with state and federal planning requirements. However, a new RTIP can be more frequent, for example a new RTIP is required within six months of the adoption of a new RTP. The described TCM rollover process shall apply in such cases as well.

Adoption Procedures for RTIP Rollover of TCM Projects

The rollover of the RTIP must be adopted by SCAG’s Regional Council, in accordance with the RTIP adoption process, as described below.

- The Draft RTIP is reviewed by various SCAG Committees, Task Forces, and Working Groups, such as the standing Transportation and Communication Committee, and the Technical Advisory Committee;
- The Transportation Conformity Working Group (TCWG), which serves as the interagency consultation group, reviews the proposed TCMs and RTIP;
- Public notification is provided through major newspapers in the affected sub-regions as well as on SCAG’s website;

- Draft RTIP materials are distributed, with appropriate cover letters, to approved public libraries and facilities and also made available on SCAG's website for access by the public;
- Input received is compiled and analyzed, and responses to comments are provided by SCAG Staff, and made available to the public;
- A summary of comments received during the public comment period along with SCAG's responses, following the close of the public comment period, is incorporated into the final RTIP;
- The Final RTIP is adopted by SCAG's Regional Council;
- SCAG's adopted RTIP is submitted to the State for funding approval and to the federal agencies (FHWA, FTA and EPA) for final funding and conformity approval.
- Upon federal approval of the RTIP, the new TCMs become part of the applicable AQMP/SIP.

Substitution of Individual TCM Projects

The CTCs and/or project sponsors shall notify SCAG when a TCM project cannot be delivered or will be significantly delayed. SCAG and the CTCs will identify and evaluate possible replacement measures for individual substitutions, through the TCWG, which includes members from all affected jurisdictions, federal, state and/or local air quality agencies and transportation agencies.

Substitution of individual TCMs will follow the process specified in the CAA §176(c). §176(c) of the CAA allows for the substitution of individual TCMs if certain conditions are met. These include:

- "(i) if the substitute measures achieve equivalent or greater emissions reductions than the control measure to be replaced, as demonstrated with an emissions impact analysis that is consistent with the current methodology used for evaluating the replaced control measure in the implementation plan;
- "(ii) if the substitute control measures are implemented-
 - "(I) in accordance with a schedule that is consistent with the schedule provided for control measures in the implementation plan; or
 - "(II) if the implementation plan date for implementation of the control measure to be replaced has passed, as soon as practicable after the implementation plan date but not later than the date on which emission reductions are necessary to achieve the purpose of the implementation plan;
- "(iii) if the substitute and additional control measures are accompanied with evidence of adequate personnel and funding and authority under State or local law to implement, monitor, and enforce the control measures;
- "(iv) if the substitute and additional control measures were developed through a collaborative process that included--

"(I) participation by representatives of all affected jurisdictions (including local air pollution control agencies, the State air pollution control agency, and State and local transportation agencies);
"(II) consultation with the Administrator; and
"(III) reasonable public notice and opportunity for comment; and
"(v) if the metropolitan planning organization, State air pollution control agency, and the Administrator concur with the equivalency of the substitute or additional control measures."

In addition to the conditions above, the substitute project shall be in the same air basin and preferably be located in the same geographic area and preferably serve the same demographic subpopulation as the TCM being replaced.

A substitution does not require a new conformity determination or a formal SIP revision. Adoption of the new TCM in coordination with U.S. EPA concurrence will rescind the original TCM and apply the new measure.